

## **REMARKS**

Claims 1 and 45 have been amended to clarify the subject matter regarded as the invention. Claims 1-5, 7, 8, 10-14, 17-26, 29-31, 35-38, 41-49, and 51-53 are pending.

The Examiner has rejected claims 1-5, 7, 8, 10-11, 17-21, 29-31, 35-36, 41, 44-49, and 51-53 under 35 U.S.C. 103(a) as being unpatentable over Kwoh in view of Abecassis. The Examiner has rejected claims 37-38 under 35 U.S.C. 103(a) as being unpatentable over Kwoh in view of Abecassis, and further in view of Cruz. The Examiner has rejected claims 22-23 and 43 under 35 U.S.C. 103(a) as being unpatentable over Kwoh in view of Abecassis, and further in view of Murphy. Neither Kwoh, nor Abecassis, nor Cruz, nor Murphy teaches the marking data defines a confidence level that represents the certainty of the user that “the marked time associated with the marked recording data is a time associated with the recording data that the user desires to mark” as recited in amended claim 1. In particular, the category codes and keywords (e.g., G, PG, PG-13) of Abecassis do not represent the certainty of a marked time. Therefore claim 1 is believed to be allowable.

Claims 2-5, 7-8, 10-14, 17-26, 29-31, 35-38 and 41-44 depend from claim 1 and are believed to be allowable for the same reasons described above.

Similarly, neither Kwoh, nor Abecassis, nor Cruz, nor Murphy teaches the marking data defines a confidence level that represents the certainty of the user that “the marked time associated with the marked recording data is a time associated with the recording data that the user desires to mark” as recited in amended claim 45. As such, claim 45 is believed to be allowable.

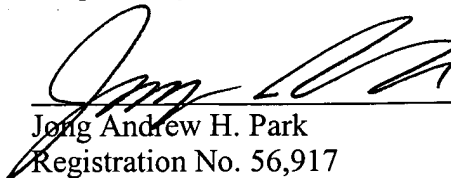
Claims 45-49, 51-53 depend from claim 45 and are believed to be allowable for the same reasons described above.

Reconsideration of the application and allowance of all claims are respectfully requested

based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

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